

#4

## DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION\*

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

## PLANT CELL DEATH SYSTEM

and for which a patent application:

- ☐ is attached hereto and includes amendment(s) filed on (if applicable)  
☒ was filed in the United States on October 15, 2001, as Application No. 09/978,274  
☐ was filed as PCT international Application No. on and was amended under PCT Article 19 on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
0025225.4	United Kingdom	14 October 2000	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.


PROVISIONAL APPLICATION NUMBER	FILING DATE

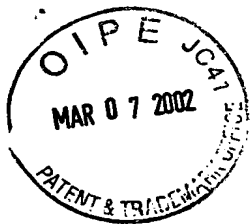
I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

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		PATENTED	PENDING	ABANDONED

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2 0 1	FULL NAME OF INVENTOR	LAST NAME Thomas	FIRST NAME Christopher	MIDDLE NAME John Robert	
	RESIDENCE & CITIZENSHIP	CITY Cambridge	STATE OR FOREIGN COUNTRY United Kingdom	COUNTRY OF CITIZENSHIP United Kingdom	
	POST OFFICE ADDRESS	STREET Advanced Technologies (Cambridge) Ltd. 210 Cambridge Science Park	CITY Cambridge	STATE OR COUNTRY United Kingdom	ZIP CODE CB4 0WA
		SIGNATURE OF INVENTOR 201 		DATE 14.12.01	
2 0 2	FULL NAME OF INVENTOR	LAST NAME McPherson	FIRST NAME Michael	MIDDLE NAME John	
	RESIDENCE & CITIZENSHIP	CITY Leeds	STATE OR FOREIGN COUNTRY United Kingdom	COUNTRY OF CITIZENSHIP United Kingdom	
	POST OFFICE ADDRESS	STREET Centre for Plant Sciences University of Leeds	CITY Leeds	STATE OR COUNTRY United Kingdom	ZIP CODE LS2 9JT
		SIGNATURE OF INVENTOR 202		DATE	
2 0 3	FULL NAME OF INVENTOR	LAST NAME Atkinson	FIRST NAME Howard	MIDDLE NAME John	
	RESIDENCE & CITIZENSHIP	CITY Leeds	STATE OR FOREIGN COUNTRY United Kingdom	COUNTRY OF CITIZENSHIP United Kingdom	
	POST OFFICE ADDRESS	STREET Centre for Plant Sciences University of Leeds	CITY Leeds	STATE OR COUNTRY United Kingdom	ZIP CODE LS2 9JT
		SIGNATURE OF INVENTOR 203		DATE	
2 0 4	FULL NAME OF INVENTOR	LAST NAME Neelam	FIRST NAME Anil	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Beltsville	STATE OR FOREIGN COUNTRY MD	COUNTRY OF CITIZENSHIP United Kingdom	
	POST OFFICE ADDRESS	STREET USDA/Agricultural Research Service/Vegetable Laboratory 10300 Baltimore Avenue	CITY Beltsville	STATE OR COUNTRY MD	ZIP CODE 20705
		SIGNATURE OF INVENTOR 204		DATE	



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PROVISIONAL APPLICATION NUMBER	FILING DATE

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2 0 1	FULL NAME OF INVENTOR	LAST NAME Thomas	FIRST NAME Chrisotpher	MIDDLE NAME John Robert	
	RESIDENCE & CITIZENSHIP	CITY Cambridge	STATE OR FOREIGN COUNTRY United Kingdom	COUNTRY OF CITIZENSHIP United Kingdom	
	POST OFFICE ADDRESS	STREET Advanced Technologies (Cambridge) Ltd. 210 Cambridge Science Park	CITY Cambridge	STATE OR COUNTRY United Kingdom	ZIP CODE CB4 0WA
		SIGNATURE OF INVENTOR 201		DATE	
2 0 2	FULL NAME OF INVENTOR	LAST NAME McPherson	FIRST NAME Michael	MIDDLE NAME John	
	RESIDENCE & CITIZENSHIP	CITY Leeds	STATE OR FOREIGN COUNTRY United Kingdom	COUNTRY OF CITIZENSHIP United Kingdom	
	POST OFFICE ADDRESS	STREET Centre for Plant Sciences University of Leeds	CITY Leeds	STATE OR COUNTRY United Kingdom	ZIP CODE LS2 9JT
		SIGNATURE OF INVENTOR 202 <i>Michael John McPherson</i>		DATE 4 December 2001	
2 0 3	FULL NAME OF INVENTOR	LAST NAME Atkinson	FIRST NAME Howard	MIDDLE NAME John	
	RESIDENCE & CITIZENSHIP	CITY Leeds	STATE OR FOREIGN COUNTRY United Kingdom	COUNTRY OF CITIZENSHIP United Kingdom	
	POST OFFICE ADDRESS	STREET Centre for Plant Sciences University of Leeds	CITY Leeds	STATE OR COUNTRY United Kindgom	ZIP CODE LS2 9JT
		SIGNATURE OF INVENTOR 203 <i>Howard John Atkinson</i>		DATE 4 <sup>th</sup> December 2001	
2 0 4	FULL NAME OF INVENTOR	LAST NAME Neelam	FIRST NAME Anil	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Beltsville	STATE OR FOREIGN COUNTRY MD	COUNTRY OF CITIZENSHIP United Kingdom	
	POST OFFICE ADDRESS	STREET USDA/Agricultural Research Service/Vegetable Laboratory 10300 Baltimore Avenue	CITY Beltsville	STATE OR COUNTRY MD	ZIP CODE 20705
		SIGNATURE OF INVENTOR 204		DATE	

**DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION\***

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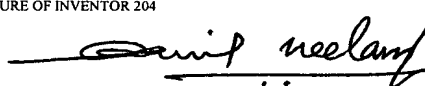
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	POST OFFICE ADDRESS	STREET USDA/Agricultural Research Service/Vegetable Laboratory 10300 Baltimore Avenue	CITY Beltsville	STATE OR COUNTRY MD	ZIP CODE 20705
	SIGNATURE OF INVENTOR 204 			DATE 23 January 2002	

# COPY

JOINT

## ASSIGNMENT

WHEREAS, WE, Christopher John Robert Thomas, Michael John McPherson, Howard John Atkinson, and Anil Neelam, ASSIGNORS, citizens of the United Kingdom, residing at c/o Advanced Technologies (Cambridge) Ltd., 210 Cambridge Science Park, Cambridge, U.K. CB4 0WA, c/o Centre for Plant Sciences, University of Leeds, Leeds, United Kingdom LS2 9JT, c/o Centre for Plant Sciences, University of Leeds, Leeds, United Kingdom LS2 9JT, and c/o USDA, Agricultural Research Service, Vegetable Laboratory, 10300 Baltimore Avenue, Beltsville, MD, 20705, respectively, are the inventors of the invention in PLANT CELL DEATH SYSTEM for which we have executed an application for a Patent of the United States

☒ which is executed on ☒ even date herewith or ☐ \_\_\_\_\_

☒ which is identified by Pennie & Edmonds LLP docket no. 9341-028-999  
☒ which was filed on October 15, 2001, Application No. 09/978,274

and WHEREAS, Advanced Technologies (Cambridge) Limited, a corporation organized and existing under the laws of the United Kingdom, and having a place of business at Globe House, 1 Water Street, London WC2R 3LA, London, England, ASSIGNEE is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, we have hereunto set our hand(s).

Witness:

*X Christopher John Robert Thomas*

Christopher John Robert Thomas

Date: 14.12.01

*Susan Jane Reed*

Witness:

Michael John McPherson

Date: \_\_\_\_\_

Witness:

Howard John Atkinson

Date: \_\_\_\_\_

Witness:

Anil Neelam

Date: \_\_\_\_\_

# COPY

## ASSIGNMENT

JOINT

WHEREAS, WE, Christopher John Robert Thomas, Michael John McPherson, Howard John Atkinson, and Anil Neelam, ASSIGNORS, citizens of the United Kingdom, residing at c/o Advanced Technologies (Cambridge) Ltd., 210 Cambridge Science Park, Cambridge, U.K. CB4 0WA, c/o Centre for Plant Sciences, University of Leeds, Leeds, United Kingdom LS2 9JT, c/o Centre for Plant Sciences, University of Leeds, Leeds, United Kingdom LS2 9JT, and c/o USDA, Agricultural Research Service, Vegetable Laboratory, 10300 Baltimore Avenue, Beltsville, MD, 20705, respectively, are the inventors of the invention in PLANT CELL DEATH SYSTEM for which we have executed an application for a Patent of the United States

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Witness:

Christopher John Robert Thomas

Date.....

Witness:

X Michael John McPherson  
Michael John McPherson

Date 4 December 2001

Witness:

X Howard John Atkinson  
Howard John Atkinson

Date 4th December 2001

Witness:

Anil Neelam

Date .....

Peter Edward Urwin  
PETER EDWARD URWIN

Peter Edward Urwin  
PETER EDWARD URWIN



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Witness:

Christopher John Robert Thomas

Date .....

Witness:

Michael John McPherson

Date .....

Witness:

Howard John Atkinson

Date .....

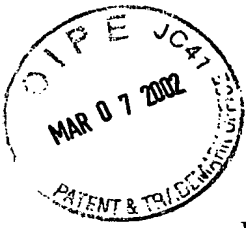
Witness:

Anil Neelam

*[Signature]*

USA D. LANGE  
NOTARY PUBLIC STATE OF MARYLAND

23 January 2002



POWER OF ATTORNEY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Thomas *et al.*

Application No.: 09/978,274

Group Art Unit: 1638

Filed: October 15, 2001

Examiner: To Be Assigned

For: PLANT CELL DEATH SYSTEM

Attorney Docket No.: 9341-028-999

**POWER OF ATTORNEY BY ASSIGNEE  
AND EXCLUSION OF INVENTORS UNDER 37 C.F.R. 3.71**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints: Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), Ann L. Gisolfi (Reg. No. 31956), Todd A. Wagner (Reg. No. 35399), Scott B. Familant (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No.

POWER OF ATTORNEY

35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), Alan Tenenbaum (Reg. No. 34939), Michael J. Lyons (Reg. No. 37386), Garland T. Stephens (Reg. No. 37242), William J. Sipio (Reg. No. 34514), Nikolaos C. George (Reg. No. 39201), Stephen S. Rabinowitz (Reg. No. 40286), Ognjan V. Shentov (Reg. No. 38051), and Kenneth L. Stein (Reg. No. 38704), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, all of Pennie & Edmonds LLP (PTO Customer No. 20583), as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71, provided that, if any one of these attorneys ceases being affiliated with the law firm of Pennie & Edmonds LLP as partner, counsel, or employee, then the appointment of that attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

An assignment of the entire interest in the above-identified subject application:

[ ] was recorded on \_\_\_\_\_ at reel/frame \_\_\_\_\_.  
[X] is submitted herewith for recording.

Please direct all correspondence for this application to customer no. 20583.

ASSIGNEE: Advanced Technologies (Cambridge) Limited

Signature: MARGOT RUTH WARGED

Typed Name: MARGOT RUTH WARGED

Position/Title: ASSISTANT SECRETARY

Address: Globe House  
1 Water Street  
London WC2R 3LA  
England

Date: 7th February 2002